

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS, INDIANA**

MARY MCBEATH )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )CAUSE NO. 1:22-cv-01216  
 CITY OF INDIANAPOLIS )  
 )  
 Defendant, )

## **COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, name-above, complains of act and omissions by the Defendant. In support of her Complaint and as cause of action against the Defendant, Plaintiff respectfully submits the following:

## JURISDICTION

1. This suit is authorized and instituted pursuant to the Family Medical Leave Act (“FMLA”), 29 U.S.C. § 2601, et seq.

## PARTIES

2. Plaintiff is woman and at all relevant times she resided in the Southern District of Indiana.
3. Defendant is the City of Indianapolis doing business in the State of Indiana in the Southern District of Indiana.

## FACTS

4. Plaintiff began working for the Defendant in January 2006.
5. Plaintiff performed her job well.
6. In November 2022, Plaintiff requested and was approved for FMLA.

7. In February 2022, Plaintiff began taking her leave.
8. While Plaintiff was on leave her manager called her and informed her that she needed to attend a meeting.
9. During the meeting, Plaintiff was told that she was being terminated for “stealing food from the park” and driving the park vehicle home.
10. However, Plaintiff’s manager knew she took food from the pantry home as did everyone else and on certain occasions she drove the car to her house.
11. However, similarly situated individuals that did not request leave engaged in similar or worst conduct, however, they were not terminated.
12. Plaintiff was terminated due to engaging in protected activity.
13. Defendant interfered with Plaintiff’s FMLA rights.

#### **COUNT I**

14. Plaintiff incorporates by reference paragraphs 1-13.
15. Defendant, as a result of interfering with Plaintiff’s FMLA rights, violated Family and Medical Leave Act (“FMLA”), 29 U.S.C. § 2601, et seq.

#### **COUNT II**

16. Plaintiff incorporates by reference paragraphs 1 -13.
17. Defendant, as a result of retaliating against Plaintiff, violated Family and Medical Leave Act (“FMLA”), 29 U.S.C. § 2601, et seq.

WHEREFORE, Plaintiff respectfully requests that the Court grant the following relief:

- A. Award Plaintiff back pay and benefits lost;

- B. Award Plaintiff compensatory damages for future pecuniary loss, emotional pain and suffering, inconvenience, mental anguish and loss of enjoyment of life;
- C. Award Plaintiff punitive damages;
- D. Award Plaintiff liquidated damages;
- E. Award Plaintiff his cost in this action and reasonable attorney fees;
- F. Grant Plaintiff any other relief which is allowable under the circumstances of this case.

Respectfully Submitted

s//Amber K. Boyd  
Amber K. Boyd 31235-49  
Attorney for Plaintiff

**REQUEST FOR JURY TRIAL**

Comes now the Plaintiff and requests that this cause be tried by a jury.

Respectfully Submitted

s//Amber K. Boyd  
Amber K. Boyd 31235-49  
Attorney for Plaintiff

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